



**HOUSING AUTHORITY  
of the County of Los Angeles**

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*Commissioners*

**Sean Rogan**  
*Executive Director*

August 7, 2012

Honorable Board of Commissioners  
Housing Authority of the  
County of Los Angeles  
383 Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Commissioners:

**APPROVE AMENDMENT TO THE MASTER SERVICES AGREEMENT BETWEEN  
THE COUNTY AND THE HOUSING AUTHORITY  
(ALL DISTRICTS) (3 VOTES)**

**SUBJECT**

This letter recommends approval of an Amendment to the Master Services Agreement (Agreement) between the County of Los Angeles (County) and the Housing Authority of the County of Los Angeles (Housing Authority), approved by your Board in 2010, to clarify that the Housing Authority may use services provided by the Internal Services Department (ISD) and procurements conducted by the County. This letter relates to an item on the agenda of the Board of Supervisors.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve and instruct the Executive Director or his designee to execute Amendment No. 1 to the Master Services Agreement between the County and the Housing Authority.
2. Authorize the Executive Director or his designee to execute future amendments to the Master Services Agreement, upon agreement by both parties, approval as to form by County Counsel, and advance notification to the Board.

**ADOPTED**

BOARD OF COMMISSIONERS  
HOUSING AUTHORITY

1-H August 21, 2012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On April 19, 1994, the Board of Supervisors and the Board of Commissioners of the Housing Authority approved a Masters Services Agreement which allowed for the reciprocal provision of services between the County and the Housing Authority.

On June 29, 2010, the Board of Supervisors and the Board of Commissioners of the Housing Authority approved a revised Masters Services Agreement, which included updates to the language of the original Agreement, including clarifying the duration and rates for services provided under the Agreement.

As a result of guidance issued by the U.S. Department of Housing and Urban Development, an Amendment to the Agreement is now required to clarify that the Housing Authority may use services provided by ISD and procurements conducted by the County, as described in further detail below.

### **FISCAL IMPACT/FINANCING**

There is no impact on the County general fund.

Rates for services will be negotiated between the Executive Director of the Housing Authority and the County Department providing or receiving said services.

Any funds used by the Housing Authority to provide services to the County must be appropriated by the Board for such purposes. Funds received from the County will be incorporated in the Housing Authority's budget for the fiscal year corresponding to the time during which the work will be provided.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The following provisions will be added to the Master Services Agreement:

"The Housing Authority may use direct services provided by the County Internal Services Department (ISD) or services subcontracted to private vendors by ISD. In either case, the Housing Authority will make direct payments to ISD for services rendered.

The Housing Authority may use a procurement conducted by the County in order to enter into a separate contract for specified goods or services of a routine nature with any vendor currently under contract with the County, provided that the procurement conducted by the County is in compliance with U. S. Department of Housing and Urban Development's procurement requirements as described under 24 Code of Federal Regulations (CFR) 85.36, known as the "Common Rule". The County will

incur no responsibility, financial or otherwise, for Housing Authority contracts entered into using procurement conducted by the County."

All other terms and conditions of the Master Services Agreement shall remain in full force and effect.

Amendment No. 1 to the Master Services Agreement is attached in substantially final form. It has been reviewed and approved as to form by County Counsel. On July 25, 2012, the Housing Commission recommended amending the Agreement.

#### **ENVIRONMENTAL DOCUMENTATION**

These activities are exempt from the provisions of the National Environmental Policy Act pursuant to 24 Code of Federal Regulations, Part 58, Section 58.34 (a)(3), because they involve administrative activities that will not have a physical impact on or result in any physical changes to the environment. The activities are also not subject to the provisions of CEQA pursuant to State CEQA Guidelines 15060(c)(3) and 15378, because they are not defined as a project under CEQA and do not have the potential for causing a significant effect on the environment.

#### **IMPACT ON CURRENT PROGRAMS**

The proposed Amendment to the Master Services Agreement will clarify that the Housing Authority may use services provided by ISD and procurements conducted by the County.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sean Rogan", with a horizontal line extending to the right.

SEAN ROGAN  
Executive Director

Enclosures

**AMENDMENT NO. 1 TO THE MASTER SERVICES AGREEMENT  
BETWEEN THE COUNTY OF LOS ANGELES  
AND THE HOUSING AUTHORITY OF THE COUNTY OF LOS ANGELES**

This Amendment No. 1 to the Master Services Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2012, by and between the COUNTY OF LOS ANGELES, a body corporate and politic hereinafter referred to as "County", and the HOUSING AUTHORITY of the COUNTY OF LOS ANGELES, a public agency activated pursuant to Part 2 of Division 24 of the California Health and Safety Code Section 34200 et seq., hereinafter referred to as "Housing Authority".

**RECITALS**

WHEREAS, on June 29, 2010, the Board of Supervisors and the Board of Commissioners of the Housing Authority approved a Master Services Agreement (Agreement) which contained some revisions and updates to the language of the original Master Services Agreement executed between the parties on April 19, 1994, including clarifying the duration and rates for services provided under the Agreement;

WHEREAS, the Housing Authority is desirous of using direct services provided by the County Internal Services Department (ISD) or services contracted to private vendors by ISD;

WHEREAS, the Housing Authority is desirous of using procurements conducted by the County in order to enter into separate contracts for goods or services of a routine nature with vendors currently under contract with the County;

WHEREAS, the Housing Authority is required to comply with the procurement requirements of the U.S. Department of Housing and Urban Development (HUD), the federal agency that provides the majority of the Housing Authority's funding; and

WHEREAS, HUD's Procurement Handbook for Public Housing Agencies, Handbook 7460.8 REV 2 Chapter 14, permits the use of intergovernmental or interagency purchasing agreements without competitive procurement, provided there is written agreement between the agencies.

NOW THEREFORE, the County and the Housing Authority hereby agree that the Master Services Agreement be amended to add the additional following general services the Housing Authority may utilize of the County:

1. Housing Authority use of County ISD services

The Housing Authority may use direct services provided by the County Internal Services Department (ISD) or services contracted to private vendors by ISD, if the agreement between ISD and the private vendor authorizes the vendor to do business with entities affiliated with the County. In either case, the Housing Authority will have the option to make direct payments to ISD for services rendered or to execute a Housing Authority contract and make direct payments to the vendor.

2. Housing Authority use of County procurements

The Housing Authority may use a procurement conducted by the County in order to enter into a separate contract for specified goods or services of a routine nature with any vendor currently under contract with the County, provided that the procurement conducted by the County is in compliance with U. S. Department of Housing and Urban Development's procurement requirements as described under 24 Code of Federal Regulations (CFR) 85.36, known as the "Common Rule". The County will incur no responsibility, financial or otherwise, for Housing Authority contracts entered into using procurement conducted by the County.

3. All other terms and conditions of the Master Services Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the County has, by order of its Board of Supervisors, caused these presents to be subscribed thereto and attested by the Executive Officer-Clerk of said Board and the Housing Authority has caused these presents to be subscribed by its Executive Director and the seal of the Housing Authority affixed thereto on the day and year first above written.

HOUSING AUTHORITY OF THE  
COUNTY OF LOS ANGELES

\_\_\_\_\_  
Executive Director

APPROVED AS TO FORM:

JOHN F. KRATTLI  
County Counsel

By \_\_\_\_\_  
Deputy